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## **OLR Bill Analysis**

**sHB 5519 (File 489, as amended by House "A")\***

### ***AN ACT CONCERNING THE CONVEYANCE OF CERTAIN PARCELS OF STATE LAND.***

#### **SUMMARY:**

This bill (1) authorizes conveyances of state property (a) to the towns of Bloomfield, East Hartford, East Haven, New Britain, New Haven, Tolland, and Windsor and (b) in the town of Enfield to the Shaker Pines Fire District 5; (2) amends prior conveyances in Barkhamsted, Greenwich, and New Hartford; and (3) repeals prior conveyances in Bristol, Manchester, Marlborough, and Windsor Locks.

Additionally, the bill requires the transportation commissioner to adopt policies and guidelines concerning the disposal of state-owned land and buildings obtained for or in connection with Route 7 and the Route 6 Expressway, respectively. The commissioner must submit a copy of the policies and guidelines, by January 1, 2013, to the Transportation and Government Administration and Elections committees (§§ 14 & 15).

Lastly, the bill allows individuals owning real property (1) located in towns with between 58,000 and 65,000 residents and (2) used for commercial purposes to submit an application or request for payment or reimbursement from the underground storage tank petroleum clean-up program. A person must have (1) previously received a demand letter from the Department of Energy and Environmental Protection (DEEP) commissioner seeking payment or reimbursement for costs incurred by the state and (2) received notice of a release or suspected release from DEEP on or before April 1, 2003 (§ 7). The program reimburses responsible parties for environmental remediation costs they incur because of leaking commercial tanks, primarily those containing motor fuel, such as diesel fuel and gasoline (CGS §§ 22a-449a, et seq).

\*House Amendment "A" (1) adds the provisions on the Route 7 and Route 6 policies and guidelines and the underground storage tank applications; (2) removes conveyances to Farmington and to individuals in Andover; (3) adds the conveyances in Enfield and New Britain; and (4) makes changes to the Barkhamsted, Bloomfield, Greenwich, New Hartford, New Haven, Tolland, and Windsor conveyances.

EFFECTIVE DATE: Upon passage

**§§ 1-6, 8, 11-13 — NEW CONVEYANCES**

The bill requires the following conveyances from the agencies to the towns (and in one case, a fire district) named for the purpose specified:

1. the Department of Transportation (DOT) to East Hartford for open space (two parcels totaling .82 acres for administrative costs);
2. DOT to East Haven (.49 acres for fair market value, as determined by the average appraisals of two independent appraisers chosen by the commissioner, plus administrative costs);
3. the Judicial Department to New Britain for economic development (.89 acres for \$60,000 plus administrative costs);
4. the Department of Administrative Services (DAS), on behalf of the Department of Developmental Services, to Windsor (.73 acres for a negotiated price plus administrative costs);
5. DEEP to Bloomfield for a golf course (36.05 acres for administrative costs);
6. the Department of Economic and Community Development to New Haven for day care purposes (.52 acres for administrative costs);
7. DOT to Tolland for economic development (3.2 acres for administrative costs);

8. DECD to New Britain for a community park (.32 acres for administrative costs); and
9. the Department of Correction to Shaker Pines Fire District 5 in Enfield for firefighting education and training (10 acres plus any improvements on the property for administrative costs).

Additionally, the New Haven conveyance releases a deed restriction that requires the property to be used for low- and moderate-income housing.

Each conveyance is subject to the State Properties Review Board's approval within 30 days. Conveyances with a specified purpose revert to the state if the recipient sells, leases, or uses the parcel for any purpose other than that specified in the bill, except that the bill allows New Haven to sell the parcel conveyed from DECD.

Additionally, the East Hartford parcels revert to the state if it needs them for transportation purposes, and the conveyance from the Judicial Department to New Britain reverts to the state if it is not used for economic development within two years of the bill's passage.

For the Windsor conveyance, the bill requires DAS and the town to negotiate the purchase price, which must be reduced by the amount the town pays for necessary improvements. Absent an agreed price, the parcel will not be conveyed. If the parcel is conveyed and Windsor refuses to pay the amount owed, it reverts to the state. The bill does not specify a deadline for Windsor to pay or agree to pay the amount owed.

#### **§§ 9 & 10 — AMENDED CONVEYANCES**

The bill amends a 2008 conveyance of a .44 acre parcel in Greenwich from DOT to the Greenwich Historical Society by allowing the society to use the land for purposes consistent with its mission. The property's use is currently restricted to parking purposes.

The bill amends a 2008 conveyance of a 3.2 acre parcel in Barkhamsted and New Hartford from DOT to Regional Refuse

Disposal District One by allowing the district to exchange a portion of the parcel with abutting property owners to construct a water well line on the abutting property. The conveyance's current provisions require the property to be used for economic development purposes and prohibit the district from selling, leasing, or exchanging the property.

#### **§ 16 — REPEALED CONVEYANCES**

The bill repeals prior conveyances from DOT to the following towns:

1. Bristol (.11 acre in 2011),
2. Manchester for road alignment and traffic mitigation (1.517 acres in 2010),
3. Marlborough (.46 acre in 2010), and
4. Windsor Locks for municipal purposes (20,000 square feet in 2006).

#### **COMMITTEE ACTION**

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 15      Nay 0      (03/29/2012)